

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, the specification of which

☐ is attached hereto.

☒ was filed on August 12, 1997 as Application Serial No. 08/909,513 and was amended on _____

☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
Great Britain	9621914.2	10/21/96	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Great Britain	9616910.7	8/12/96	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Haile, Reg. No. 38,347; Joseph R. Baker, Reg. No. 40,900; J. Peter Fasse, Reg. No. 32,983; Janis K. Fraser, Reg. No. 34,819; Eldora L. Ellison, Reg. No. 39,967; John W. Freeman, Reg. No. 29,066; Scott Harris, Reg. No. 32,030; John F. Hayden, Reg. No. 37,640; John Land, Reg. No. 29,554; Anita L. Meiklejohn, Reg. No. 35,283; John T. Prince, Reg. No. P-43,019; Y. Rocky Tsao, Reg. No. 34,054; Hans R. Troesch, Reg. No. 36,950; John R. Wetherell, Jr., Reg. No. 31,678.

Address all telephone calls to Lisa A. Haile, Ph.D. at telephone number 619/678-5070.

Address all correspondence to Lisa A. Haile, Ph.D., Fish & Richardson P.C., 4225 Executive Square, Suite 1400, La Jolla, CA 92037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

FAX FROM : 619 678 5899
06/12/98 FRI 13:08 FAX 619 878 8080

F&R LA JOLLA

12/06/90 22:22

PG: 3
0003

Full Name of Inventor: Dr. Roger Harris

Inventor's Signature: R. L. Harris Date: 16 June 1998
Residence Address: 1 Argonne St. Apt. 201 Chicago, IL 60640

Residence Address: 4 Armstrong Close, Newmarket, CB8 8HD, Suffolk, England.

Citizen of: United Kingdom

Post Office Address: 4 Armstrong Close, Newmarket, CB8 3HD, Suffolk, England

Full Name of Inventor: Dr. Mark Dunnell

Inventor's Signature: [Signature] Date: 16th JUNE 1998

Residence Address: Chaise House Stables, The Green, Tuddingham, IP 286ST, United Kingdom

Citizen of:

Post Office Address: 78 Highwood Road, Gazeley, Newmarket, CB8 8HD, Suffolk, England

[illegible]

Best Available Copy

ATTORNEY DOCKET NO. 08457/002001

Applicant or Patentee: Harris, (U. S.)
Serial or Patent No.: 08/909,513
Filed or Issued: 8/12/97
For: METHODS AND COMPOSITIONS FOR INCREASING THE ANAEROBIC WORKING CAPACITY IN TISSUES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Natural Alternatives International

Address of Small Business Concern: 1185 Linda Vista Drive, San Marcos, CA 92069

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHODS AND COMPOSITIONS FOR INCREASING THE ANAEROBIC WORKING CAPACITY IN TISSUES by inventor(s) Roger Harris and Mark Dunnett, described in

- ☐ the specification filed herewith.
☐ application serial no. 08/909,513, filed 8/12/97.
☐ patent no. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: Roger Harris

Address: 4 Armstrong Close, Newmarket, CBB, 8HD, United Kingdom

Full Name: Mark Dunnett

Address: Chease House Stables, The Green, Tuddingham, IP 286ST, United Kingdom

Full Name: Kenny Johansson

Address: Fairing Sport Nutrition, St. Ericksgratan 16, 11239 Stockholm, Sweden

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this verified statement is directed.

Name: John Wise

Title: Vice-President

Address: 1185 Linda Vista Drive, San Marcos, CA 92069

Signature: John Wise

Date: 6-18-98

5/11/98

FAX FROM : 619 678 5899
18/11/98 THU 07:20 FAX 619 678 5099

F&R LA JOLLA

11/06/98 16:32 PG: 6 0008

ATTORNEY DOCKET NO. 08457/002001

Applicant or Patentee: Harris, et al.
Serial or Patent No.: 08/909,513
Filed or Issued: 8/12/97
For:

METHODS AND COMPOSITIONS FOR INCREASING THE ANAEROBIC WORKING CAPACITY IN TISSUES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled METHODS AND COMPOSITIONS FOR INCREASING THE ANAEROBIC WORKING CAPACITY IN TISSUES described in

- ☐ the specification filed herewith.
☒ application serial no. 08/909,513, filed 8/12/97.
☐ patent no. , issued .

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization.
☒ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention availing to their status as small entities. (37 CFR 1.27)

Full Name: Natural Alternatives InternationalAddress: 1185 Linda Vista Drive, San Marcos, CA 92069

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Full Name: Kenny JohanssonAddress: Fairing Sport Nutrition, St Eriksgatan 16, 11239 Stockholm, Sweden

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Dr. Roger HarrisSignature: RCHarrisDate: 6 June 1998Inventor: Dr. Mark DunnettSignature: [Signature]Date: 16th June 1998